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PATENT
ATTORNEY DOCKET NO.: 040894-7468

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Confirmation No.: 7925
Kazuhiko KISHI et al.)	
)	Group Art Unit: 3721
Application No.: 10/585,736)	
)	Examiner: L. Low
Filed: July 12, 2006)	
)	Mail Stop Amendment
For: STAPLER)	

Mail Stop Amendment
Commissioner of Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Pursuant to 37 C.F.R. § 1.97(e)(1), each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. Accordingly, Applicants do not believe that a fee is due for filing this paper.

Each item of information contained in this Information Disclosure Statement was cited in a Communication from the European Patent Office dated July 15, 2008 in a counterpart patent application. Copies of the Communication from European Patent Office and the listed references are enclosed for the Examiner's consideration. Applicants respectfully request that the Examiner

consider the listed documents and evidence that consideration by making appropriate notation on the attached PTO Form 1449.

The European Patent Office Communication cited EP 0266700 (counterpart USPN 4,844,319), EP 0051395 (counterpart USPN 4378085), and EP 0995561 (counterpart USPN 6250531). The U.S. counterpart patents were previously cited by the Examiner in an Office Action dated June 30, 2008 and will not be listed on the present PTO Form 1449.

The following is a concise statement of relevance of the non-English language document listed:

1. DE 196 07 296: The relevance of this document can be ascertained from the abstract, the counterpart USPN 5,862,971, the Communication from the European Patent Office, and the figures therein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

David E. Connor
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Dated: September 24, 2008

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